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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/734,032	12/11/2003	David S. Zakrewski	H0006444 (17173)	8767
128	7590	03/10/2006	EXAMINER	
HONEYWELL INTERNATIONAL INC.			CHARIOUI, MOHAMED	
101 COLUMBIA ROAD			ART UNIT	
P O BOX 2245			PAPER NUMBER	
MORRISTOWN, NJ 07962-2245			2857	

DATE MAILED: 03/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/734,032

Applicant(s)

ZAKREWSKI, DAVID S.

Examiner

Mohamed Charioui

Art Unit

2857

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 February 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-19 are rejected under 35 U.S.C. 102(b) as being anticipated by Bedrosian (U.S. Patent No 5,565,844).

As per claims 1 and 8, Bedrosian teaches a transmitter and a control for controlling the transmitter to transmit a signal for adjusting the sensitivity of the motion detector (see col. 2, lines 18-26).

As per claims 2 and 7, Bedrosian further teaches a user interface device for receiving a user command, wherein the control is responsive to the user command received by the user interface device for controlling the transmitter to transmit the signal for adjusting the sensitivity of the motion detector (see col. 2, lines 41-53 and col. 3, line 64 to col. 4, line 26).

As per claim 3, Bedrosian further teaches that the user command sets a schedule for controlling the sensitivity of the motion detector (see col. 2, lines 41-53).

As per claim 4, Bedrosian further teaches that the user command sets a sensitivity level for the motion detector (see col. 4, line 56 to col. 5, line 4).

As per claim 5, Bedrosian further teaches that the signal for adjusting the sensitivity of the motion detector comprises a command to change a pulse count of the motion detector (see col. 5, lines 44-54).

As per claim 6, Bedrosian further teaches that the signal for adjusting the sensitivity of the motion detector comprises a command to change an optical gain of the motion detector (see col. 3, lines 4-23 and col. 4, lines 26-49).

As per claims 9 and 10, Bedrosian further teaches a portable housing in which the transmitter and control are provided (see col. 2, lines 33-41; col. 4, lines 26-35; and col. 4, line 56 to col. 5, line 4).

As per claim 11, Bedrosian further teaches a battery provided in the portable housing for powering the control and transmitter (see col. 2, lines 14-18 and col. 6, lines 12-16).

As per claims 12, 14, 15, 16, 18 and 19, Bedrosian further teaches a component for sensing electromagnetic radiation that is indicative of the presence of a living being (see col. 2, lines 18-26 and col.4, line 57 to col. 5, line 4), a control responsive to the component for determining, in accordance with the sensed electromagnetic radiation, whether to trigger a signal indicating that the living being has been detected (see col.4, line 57 to col. 5, line 4); and a receiver for receiving a remotely-generated signal for adjusting a sensitivity of the motion detector, wherein the control is responsive to the remotely-generated signal for adjusting a sensitivity with which the component senses the electromagnetic radiation (see col.4, line 26 to col. 5, line 4).

As per claim 13, Bedrosian further teaches that the remotely-generated signal comprises a command to change an optical gain of the motion detector (see col. 3, lines 4-23 and col. 4, lines 26-49).

As per claim 17, Bedrosian further teaches remotely-generated comprises a command to change a pulse count of the motion detector (see col. 5, lines 44-54).

Prior art

2. The prior art made record and not relied upon is considered pertinent to applicant's disclosure:

Gerlach ['091] discloses device for automatically tracking a moving object.

Contact information

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mohamed Charioui whose telephone number is (571) 272-2213. The examiner can normally be reached Monday through Friday, from 9 am to 6 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marc S Hoff can be reached on (571) 272-2216. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mohamed Charioui


MARC S. HOFF
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800